

1 JEFFERY J. DAAR (SBN 105536)  
2 [jdaar@daarnewman.com](mailto:jdaar@daarnewman.com)  
3 MICHAEL R. NEWMAN (SBN 49676)  
4 [mnewman@daarnewman.com](mailto:mnewman@daarnewman.com)  
5 DAAR & NEWMAN  
6 A Professional Law Corporation  
7 21700 Oxnard Street, Suite 350  
Woodland Hills, CA 91367  
(818) 615-0999  
FAX: (818) 615-1066  
8  
9 Attorneys for Defendant  
10 DAVID BRUCE McMAHAN

11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

DELAWARE LIFE INSURANCE  
COMPANY,

Plaintiff,

v.

JAY R. SCHUSTER, an individual;  
DAVID BRUCE MCMAHAN, an  
individual; MOSHE CHAMISH, an  
individual; ZVI CHAMISH, an  
individual; WILLIAM DUNN, an  
individual; LYNN WINTER  
GROSS, an individual; and DOES 1  
to 10, Inclusive,

Defendants.

CASE NO. 2:15-CV-01454 AB (AJWx)  
Hon. André Birotte Jr.

[PROPOSED] AMENDED JUDGMENT

Defendant David Bruce McMahan (“McMahan”), having been granted summary judgment in his favor on plaintiff Delaware Life Insurance Company’s (“Delaware Life”) first cause of action for interpleader and second cause of action for declaratory relief as to the Delaware Life annuity purchased by defendant Jay R. Schuster (the “Schuster Annuity”), on Delaware Life’s third cause of action for declaratory relief as to the Delaware Life annuity purchased by now deceased Paul Chamish whose children, defendants Moshe Chamish and Zvi Chamish, now

1 appear in his stead (the “Chamish Annuity”);

2 IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

3 1. McMahan is entitled to the proceeds of the Schuster Annuity up to the  
4 amount of \$170,850 and to the proceeds of the Chamish Annuity up to the amount  
5 of \$70,900.

6 2. Delaware Life has deposited with the Court the amount of \$159,273.30  
7 (\$114,683.72, after Delaware Life paid itself the \$7,000 authorized by the Court for  
8 Delaware Life’s attorneys’ fees and costs, as the proceeds of the Schuster Annuity  
9 and the amount of \$44,589.58 as the proceeds of the Chamish Annuity).

10 3. The Clerk of Court shall disburse \$159,273.30 to McMahan from the  
11 funds deposited with the Court by Delaware Life, without interest accrued from the  
12 date of deposit by Delaware Life, as follows:

13 Check payable to David Bruce McMahan and delivered to  
14 McMahan’s counsel of record, Jeffery J. Daar, Esq., Daar &  
15 Newman, PLC, 21700 Oxnard Street, Suite 350, Woodland  
16 Hills, CA 91367.



17  
18 DATED: December 1, 2016  
19  
20 HON. ANDRÉ BIROTTE JR.  
21  
22 CC: FISCAL  
23  
24  
25  
26  
27  
28

---

UNITED STATES DISTRICT JUDGE